

# United States District Court

for the  
Western District of New York

United States of America

v.

Case No. 24-mj- 188

Luis Mauafrewiny Aviles Matias  
a/k/a  
Leiver Artur Ponce Leon  
Juan Perez Chavez

*Defendant*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of November 12, 2024, in the County of Erie, in the Western District of New York, the defendant, Luis Mauafrewiny Aviles Matias a/k/a Leiver Artur Ponce Leon a/k/a Juan Perez Chavez, an alien, not a citizen or national of the United States, did knowingly and willfully make a materially false, fictitious statement or representation to Customs and Border Protection officers in a matter within their jurisdiction.

**All in violation of Title 18, United States Code, Section 1001(a)(2).**

This Criminal Complaint is based on these facts:

Continued on the attached sheet.

  
*William J. Schoenrock*  
Complainant's signature

WILLIAM J. SCHOENROCK  
ENFORCEMENT OFFICER  
U.S. CUSTOMS AND BORDER PROTECTION  
Printed name and title

Sworn to before me and signed telephonically.

Date: November 20, 2024

  
*H. Kenneth Schroeder, Jr.*  
Judge's signature

City and State: Buffalo, New York

HONORABLE H. KENNETH SCHROEDER, JR.  
UNITED STATES MAGISTRATE JUDGE  
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
CITY OF BUFFALO )

William J. Schoenrock, being duly sworn, deposes and states:

1. I am an Enforcement Officer with United States Customs and Border Protection (CBP), within the United States Department of Homeland Security (DHS), and have been so employed in immigration law enforcement for the past 32 years. As part of my current duties, I have become involved in an investigation of a suspected violation of Title 18, United States Code, Section 1001(a)(2).
2. I make this affidavit in support of a criminal complaint charging Luis Mauafrewiny AVILES MATIAS (“MATIAS”), born in 1967, in Ecuador, an alien, not a citizen or national of the United States, with knowingly and willfully making a materially false, fictitious statement or representation to Customs and Border Protection officers in a matter within their jurisdiction in violation of Title 18, United States Code, Section 1001(a)(2).
3. The statements contained in this affidavit are based upon my personal knowledge and upon information provided to me by other CBP Officers. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have

not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Matias violated Title 18, United States Code, Section 1001(a)(2).

4. The Department of Homeland Security is an agency within the executive branch of the government of the United States and is the agency responsible for making the determination to admit an individual to the United States or determine whether an individual, found within the United States, has any valid immigration status. Information concerning an individual's true identity, immigration status, criminal history, and prior immigration history, such as prior removals, visa refusals, and entries, are matters material to these determinations.

5. At approximately 3:00 p.m. on November 12, 2024, at the Peace Bridge port of entry in Buffalo, New York, in the Western District of New York, officers of United States Customs and Border Protection encountered Matias. Matias was a passenger in a vehicle, bearing State of California registration, containing four individuals that inadvertently entered onto the Peace Bridge toward Canada. Instead of continuing to Canada the vehicle and occupants turned around on the bridge and proceeded to CBP primary inspection. During primary inspection, Matias presented to CBP Officer K. Klein, as proof of identity, a Puerto Rico driver's license number 5052XXX in the name Leiver Artur Ponce Leon, born in June 1967. Matias was unable to provide evidence of his citizenship, and as part of normal procedure, the vehicle and occupants were escorted to secondary for further inspection.

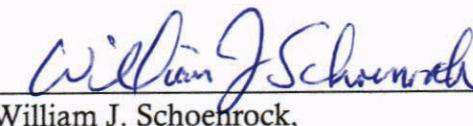
6. CBP Officer N. Wolf commenced the secondary inspection. Officer Wolf asked Matias his citizenship and he replied that he was a United States citizen from Puerto Rico. Officer Wolf noticed that the Puerto Rican driver's license appeared to be fraudulent and explained to Matias that he believed he was not being truthful. Matias subsequently admitted to Officer Wolf that he was born in Ecuador and is an Ecuadorian citizen.

7. Puerto Rico driver's license number 5052XXX was entered into the state driver license computer database (NLETS). This query revealed that a driver's license with the same unique number was currently issued to another individual in Puerto Rico, confirming that the driver's license presented by Matias was not a genuine document issued by the Puerto Rican government.

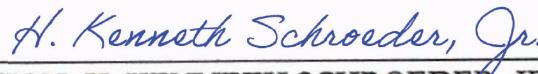
8. Next, Matias' fingerprints were entered into the Integrated Automated Fingerprint Identification System (IAFIS). This query resulted in an identical biometric match to FBI number F6TTKFXXX and immigration fingerprint identification number 135510XXX. The FBI number referenced an arrest in May 2023 in California for Conspiracy and Grand Theft under the name Juan Perez Chevez, born in Mexico. The immigration fingerprint identification number referenced an electronically reported encounter in Panama in February 2024, where he was identified by Panamanian government officials as Luis Mauafrewiny Aviles Matias born December 1967 in Ecuador.

9. Routine immigration database queries using the name Luis Mauafrewiny Aviles Matias and alias names were conducted and no record could be found to show that Matias has any legal immigration status in the United States.

10. Based upon the foregoing, your affiant respectfully submits that there is probable cause to believe that Luis Mauafrewiny AVILES MATIAS has violated Title 18, United States Code, Section 1001(a)(2).

  
\_\_\_\_\_  
William J. Schoefrock,  
Enforcement Officer  
U.S. Customs and Border Protection

Sworn to before me and signed telephonically  
on this 20<sup>th</sup> day of November 2024.

  
\_\_\_\_\_  
HON. H. KENNETH SCHROEDER, JR.  
United States Magistrate Judge